



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Arnold Miller et al.
Serial No.: 10/807,518
Filing Date: 03/23/2004
For: VASCULAR BYPASS GRAFTING INSTRUMENT AND METHOD
Group Art Unit No.: 3731
Examiner: Unknown
Attorney's Docket No.: AM-2B CON

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 7, 2004

(DATE OF DEPOSIT)

Mark J. Pandiscio

(NAME OF ATTORNEY)

Mark J. Pandiscio 10/7/04

(SIGNATURE)

October 7, 2004

(DATE OF SIGNATURE)

Sir:

RESPONSE TO OUTSTANDING NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION - FILING DATE GRANTED

In response to the outstanding NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED, Applicants hereby respectfully submit the following:

(1) a duplicate copy of the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED, as requested in the Notice;

(2) one (1) check in the amount of \$1056.00 to cover the basic filing fee and additional claim fees, these charges having been calculated on the basis of Large Entity status;

(3) a substitute set of drawings for the application in compliance with 37 CFR 1.84; and

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(4) one (1) check in the amount of \$130.00 to cover the surcharge for the late payment of the filing fee, this charge having been calculated on the basis of Large Entity status.

In the event that any additional fees may be required to be paid in connection with this submission, please charge the same, or credit any overpayment, to Deposit Account No. 16-0221.

A duplicate copy of this RESPONSE TO OUTSTANDING NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED is enclosed for the convenience of the Patent and Trademark Office.

Respectfully submitted,

Mark J. Pandiscio 10/7/04

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/807,518 | 03/23/2004 | Arnold Miller | AM-2B CON |

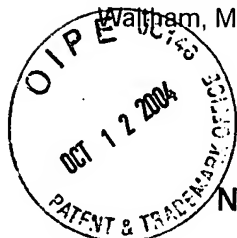
CONFIRMATION NO. 3377

FORMALITIES LETTER



OC000000012888051

Date Mailed: 06/07/2004



Mark J. Pandiscio
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Waltham, MA 02154

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b) 10/13/2004 RMEBRAHT 00000009 10807518

Filing Date Granted

| | |
|------------|-----------|
| 01 FC:1001 | 790.00 OP |
| 02 FC:1051 | 130.00 OP |
| 03 FC:1202 | 90.00 OP |
| 04 FC:1201 | 176.00 OP |

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 22, 32, 33-34, 37-38.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$262 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

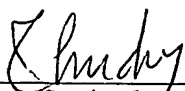
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1162** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$262**
 - **\$172** for **2** independent claims over 3.
 - **\$90** for **5** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*



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PART 2 - COPY TO BE RETURNED WITH RESPONSE